

**ASSEMBLY BILL**

**No. 2285**

**Introduced by Assembly Member Brown**

February 19, 1998

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An act to add Section 23386.5 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2285, as introduced, Brown. Alcoholic beverages: tastings.

The Alcoholic Beverage Control Act permits any person holding a manufacturer's, winegrower's, manufacturer's agent's, rectifier's, importer's, or wholesaler's license to give away samples of the alcoholic beverages that are authorized to be sold under that license. Existing law provides that a retail license does not authorize the furnishing or giving away of any free samples of alcoholic beverages.

Existing law also authorizes distilled spirits manufacturers and winegrowers to conduct tastings of distilled spirits or wine at specified events.

This bill would permit certain on-sale licensees to give away tastings of distilled spirits or wine on the premises, under specified conditions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 23386.5 is added to the Business  
2 and Professions Code, to read:

3 23386.5. (a) Notwithstanding any other provision of  
4 law, an on-sale licensee authorized to sell distilled spirits  
5 may give away tastings of distilled spirits on the premises,  
6 provided both of the following conditions are met:

7 (1) No more than one-fourth ounce of distilled spirits  
8 may be offered in one tasting.

9 (2) No more than three tastings may be offered to an  
10 individual in one day.

11 (b) Notwithstanding any other provision of law, an  
12 on-sale licensee authorized to sell wine may give away  
13 tastings of wine on the premises, provided both of the  
14 following conditions are met:

15 (1) No more than one ounce of wine may be offered  
16 in one tasting.

17 (2) No more than three tastings may be offered to an  
18 individual in one day.

